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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DANIEL E. RUFF,
12

13 Plaintiff,

14 v.

15 COUNTY OF KINGS, ETC.,
16

Defendants.

Case No. CV-F-05-0631 OWW GSA

ORDER RE: PLAINTIFF'S MOTION IN
LIMINE

17 On September 4, 2009, the above-entitled matter came before the Court for hearing
18 and decision on the plaintiff's initial and additional motions in limine (Dkt. Nos. 116 and 128).
19 After considering the parties' pertinent pleadings and oral argument, the Court hereby rules
20 upon said motions as follows:

- 21 1. Plaintiff's first initial motion in limine is withdrawn without prejudice to its being
22 renewed as appropriate.
- 23 2. Plaintiff's second initial motion in limine is granted as requested.
- 24 3. Plaintiff's third initial motion in limine is granted as requested.
- 25 4. Plaintiff's fourth initial motion in limine is granted as requested.
- 26 5. Plaintiff's fifth initial motion in limine is granted as requested.
- 27 6. Plaintiff's sixth initial motion in limine is granted as requested.
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7. Plaintiff's seventh motion in limine is granted as to impeachment evidence not otherwise produced as discovery and denied as to impeachment evidence produced during discovery.
8. Plaintiff's first additional motion in limine is denied without prejudice to its being renewed as appropriate.
9. Plaintiff's second additional motion in limine is granted as requested subject to a reservation, i.e., that defense expert witnesses may address issues other than those cited for denying plaintiff's site plan review application to the extent necessary to rebut testimony adduced by plaintiff's experts.
10. Plaintiff's third additional motion in limine is granted as requested.

IT IS SO ORDERED.

Dated: September 14, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE